

By: King of Hemphill

H.B. No. 1856

Substitute the following for H.B. No. 1856:

By: Pickett

C.S.H.B. No. 1856

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a defense under the Solid Waste Disposal Act for persons engaged in certain scrap metal recycling transactions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter I, Chapter 361, Health and Safety Code, is amended by adding Section 361.2755 to read as follows:

Sec. 361.2755. RECYCLED SCRAP METAL; DEFENSE. (a) In this section, "scrap metal" has the meaning assigned by 42 U.S.C. Section 9627(d)(3).

(b) A person who arranges for recycling of scrap metal is not responsible for the scrap metal under Section 361.271(a)(3) or (4) if the person can establish by a preponderance of the evidence that the person meets the criteria established in 42 U.S.C. Section 9627 relating to recycling scrap metal.

SECTION 2. This Act takes effect September 1, 2017.